

IDAHO BOARD OF MORTICIANS
Bureau of Occupational Licenses
700 West State Street, P.O. Box 83720
Boise, ID 83720-0063

Board Meeting Minutes of 1/13/2015

BOARD MEMBERS PRESENT: James H. Opdahl - Chair
Craig L. Geary
David L. Hutton

BUREAU STAFF: Tana Cory, Bureau Chief
Dawn Hall, Administrative Support Manager
Lori Peel, Investigative Unit Manager
Maurie Ellsworth, Legal Counsel
Erin Anderson, Technical Records Specialist I

OTHERS PRESENT: Nancy C. Ax, Idaho Department of Finance
Jim Burns, Idaho Department of Finance

The meeting was called to order at 9:01 AM MST by James H. Opdahl.

AMENDMENT OF AGENDA

Mr. Hutton made a motion to amend the agenda for the addition of Correspondence/Board Mail. The reason for the amendment was that Correspondence/Board Mail was inadvertently left off of the agenda. It was seconded by Mr. Geary. Motion carried.

APPROVAL OF MINUTES

Mr. Hutton made a motion to approve the minutes of 11/25/2014 with the correction of the next meeting date that is listed in the minutes from 1/14/2015 to 1/13/2015. It was seconded by Mr. Geary. Motion carried.

LEGISLATIVE REPORT

Ms. Cory gave the legislative report. She stated that there are two bills going before the Legislature. One is to clarify that Boards served by the Bureau of Occupational Licenses can recoup attorney fees when a licensee is found to be in violation of the Boards laws and rules in disciplinary cases. The other is regarding renewal and reinstatement processes and collecting fees from prior years of expired licenses.

FINANCIAL REPORT

Ms. Hall reported the Board's balance is \$23,760.00.

Ms. Hall presented the annual contract to the Board for renewal. Mr. Hutton made a motion to accept the contract and authorize the Board Chair to sign. It was seconded by Mr. Geary. Motion carried.

DISCIPLINE

Mr. Nelson presented a memorandum regarding case numbers MOR-2015-7, MOR-2015-1, MOR-2015-8, MOR-2015-6, and MOR-2015-5. After discussion, the Board gave recommendations for appropriate discipline. Mr. Hutton recused himself.

Mr. Nelson presented a memorandum regarding case numbers MOR-2015-4, MOR-2015-3, and MOR-2015-2. After discussion, the Board gave recommendations for appropriate discipline.

INVESTIGATIVE REPORT

Ms. Peel gave the investigative report, which is linked above.

FOR BOARD DETERMINATION

Mr. Hutton made a motion on case number I-MOR-2014-147 to close the case with a warning letter. It was seconded by Mr. Geary. Motion carried.

OLD BUSINESS

TO DO LIST

Mr. Burns addressed the Board regarding endowment care cemeteries. He would like the Board to administer jurisdiction over endowment care facilities. It was determined that Mr. Hales, Mr. Hutton and Mr. Ken Mallae with the Association would form a sub-committee to discuss this further.

Mr. Hales informed the Board that he will review the current crematorium inspection form to ensure its accurateness to the Board law and rule.

Mr. Hales addressed the term for record retention. The Board discussed that 25-30 years of keeping records may be adequate. Mr. Hales will contact the association for its feedback on record retention, and he will also review the current law to determine if the Board will need to discuss a possible law change.

The Board discussed the possibility of issuing the Certificate of Authority license to the Funeral Establishment instead of the individual Mortician licensee. Further discussion of the matter was tabled for the next Board meeting.

The Board held discussion in regard to a Mortician Resident Trainee permit and a Funeral Director Trainee permit being held in consecutive terms by the same trainee. The Board stated the two permits should not be issued consecutively. Further discussion on the matter was tabled for a possible future rule change.

NEW BUSINESS

CAR RENTAL

A motion was made by Mr. Geary to approve the car rental expense for Mr. Hutton. It was seconded by Mr. Opdahl. Motion carried.

EXECUTIVE SESSION

Mr. Hutton made a motion that the Board go into executive session under Idaho Code § 67-2345(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law. The purpose of the Executive Session was to consider license application materials. It was seconded by Mr. Geary. The vote was: Mr. Hutton, aye; Mr. Geary, aye; and Mr. Opdahl, aye. Motion carried.

Mr. Geary made a motion to come out of executive session. It was seconded by Mr. Hutton. The vote was: Mr. Hutton, aye; Mr. Geary, aye; and Mr. Opdahl, aye. Motion carried.

APPLICATIONS

Mr. Hutton made a motion to approve the following applicant to take the jurisprudence exam for licensure:

MORA-1379 Shellee Hansen

It was seconded by Mr. Geary. Motion carried.

Mr. Hutton made a motion to approve the following applicant for Certificate of Authority licensure pending receipt of additional items and Chair review:

#901104496

It was seconded by Mr. Geary. Motion carried.

Mr. Hutton made a motion to approve the following applicant to take the jurisprudence exam for licensure pending receipt of additional items and Chair review:

#901124776

It was seconded by Mr. Geary. Motion carried.

Mr. Hutton made a motion to approve the following applicant to take the jurisprudence exam for licensure pending receipt of additional items and Chair review:

#901137000

It was seconded by Mr. Geary. Motion carried.

RESIDENT TRAINEE PERMIT

Correspondence was received from Rod Timmons requesting an extension of his mortician resident trainee permit. A motion was made by Mr. Hutton to deny the request. It was seconded by Mr. Geary. Motion carried.

It was discovered that a funeral director trainee's permit had been renewed online in error after its two year expiration date. A motion was made by Mr. Hutton for Ms. Anderson to draft a letter to the resident trainee informing him that his permit is invalid as of 2/13/2015, and that renewal fees would be pro-rated and returned to him. It was seconded by Mr. Geary. Motion carried.

MCA AUDITS

The Board members reviewed and approved the MCA audits. An audit form was not signed. Mr. Hutton made a motion instructing Ms. Anderson to obtain the licensee's signature and present to the Board Chair for final approval. It was seconded by Mr. Geary. Motion carried.

CONTINUING EDUCATION

Mr. Hutton made a motion to approve the CE request from the following licensee:

M-507 Ed Robertson

It was seconded by Mr. Geary. Motion carried.

NEXT MEETING was scheduled for 7/14/2015 9:00 AM.

ADJOURNMENT

Mr. Geary made a motion to adjourn the meeting at 12:25 PM. It was seconded by Mr. Hutton. Motion carried.

James H. Opdahl, Chair

Craig L. Geary

David L. Hutton

Tana Cory, Bureau Chief